

Congress of the United States

Washington, DC 20515

January 31, 2024

Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20630

Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2702 Martin Luther King Jr. Avenue, SE
Washington, DC 20528

Dear Attorney General Garland and Secretary Mayorkas:

The Congressional Hispanic Caucus (CHC) demands that the U.S. Department of Justice (DOJ) and the U.S. Department of Homeland Security investigate the State of Texas and the Texas Department of Public Safety (DPS) for their actions to restrict access to the Rio Grande River that prevent U.S. Border Patrol agents from performing their duties.

The CHC was outraged to see reports about the tragic drowning deaths of 33-year-old Victorina de la Sancha Cerros, 10-year-old Yorlei Rubi, and 8-year-old Jonathan Agustín Briones de la Sancha as they attempted to cross the Rio Grande along the U.S.-Mexico border near Shelby Park in Eagle Pass, Texas.

Our members were extremely disturbed to learn that Texas officials refused U.S. Border Patrol's request for access to the border after they had been informed that migrants were in distress on the U.S. side of the river and in need of urgent assistance. This is the latest in a long line of deeply troubling incidents revealing the state's indifference to people's life and safety.¹

On August 15, 2023, the CHC sent a letter to both of your offices that raised serious concerns about Governor Abbott's increasingly malicious tactics to harm migrants at the Texas border. Specifically, we called attention to the fact that "the Texas DPS had installed large buoys with nets and razor-sharp defense mechanisms and concertina wire barriers to prevent people from reaching safety through the Rio Grande. The buoys were positioned in the river to impede migrants' ability to cross through safe waters, forcing people to cross through deep and dangerous points in the river. In addition to forcing migrants to tread through more dangerous waters, Texas troopers have been ordered to push migrants, including young children, back into the Rio Grande and to deny migrants water in the sweltering heat." Although these dangerous buoys were deemed illegal, and their removal was ordered by a federal appeals court in December 2023, Texas officials have refused to remove the buoys.

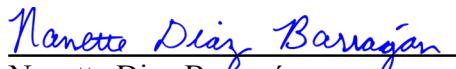
Governor Abbott's political stunts have endangered lives and failed to address the root causes of migration or deter migrants from trying to cross the border into Texas.

Unfortunately, state officials have continuously overstepped their authority. For example, while the Supreme Court ordered for state officials to allow federal law enforcement to access the border, Abbott has placed additional concertina wire to prevent this access, impeding federal law enforcement's ability to carry out their work. On July 2023, CHC members on a Congressional Delegation visit to the U.S.-Mexico border were informed that U.S. Customs and Border Protection officials stationed around the Eagle Pass area had all but forfeited patrolling areas where Texas DPS officers set up camp. Governor Abbott continues to implement Operation Lone Star and, seemingly, act with impunity for more than two years.


¹ <https://twitter.com/DLind/status/1747287923400032558>

Although we are encouraged by certain steps the Biden Administration has recently undertaken to counter Texas' unlawful actions and policies, we urgently call on the Administration to explore what further decisive and comprehensive actions it can take to address this alarming situation. We implore the Administration to pursue all avenues, including the courts, to stop Governor Abbott from continuing to implement these policies and prevent further human rights abuses. Please give this request your full and fair consideration on the merits in compliance with all applicable laws and regulations.


Sincerely,

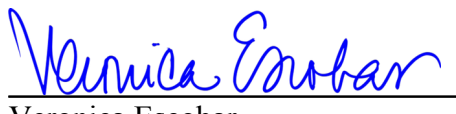

Nanette Diaz Barragán
Member of Congress
Chairwoman, Congressional
Hispanic Caucus

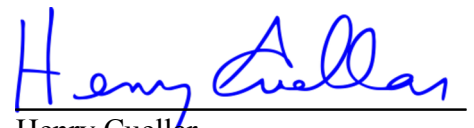

Joaquin Castro
Member of Congress

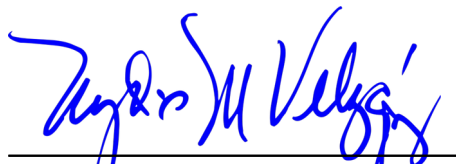

Vicente Gonzalez
Member of Congress


Sylvia R. Garcia
Member of Congress


Greg Casar
Member of Congress


Veronica Escobar
Member of Congress


Henry Cuellar
Member of Congress


Nydia M. Velázquez
Member of Congress


J. Luis Correa
Member of Congress



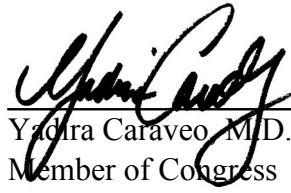
Raúl M. Grijalva
Member of Congress



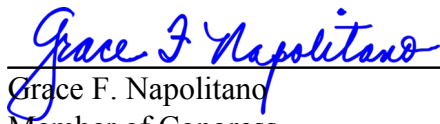
Jesús G. "Chuy" García
Member of Congress



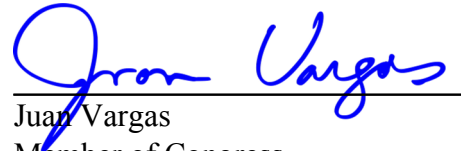
Teresa Leger Fernández
Member of Congress



Yadira Caraveo, M.D.
Member of Congress



Grace F. Napolitano
Member of Congress



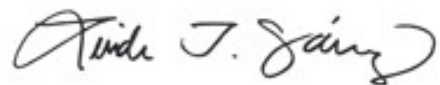
Juan Vargas
Member of Congress



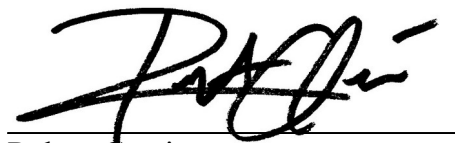
Tony Cárdenas
Member of Congress



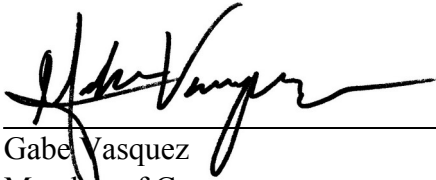
Salud Carbajal
Member of Congress



Linda T. Sánchez
Member of Congress



Robert García
Member of Congress

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Gabe Vasquez
Member of Congress

A handwritten signature in blue ink, appearing to read 'Kilili', written over a horizontal line.

Gregorio Kilili Camacho Sablan
Member of Congress

A handwritten signature in blue ink, appearing to read 'Adriano', written over a horizontal line.

Adriano Espaillat
Member of Congress